

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ENTRUST SOLUTIONS, LLC,
ENTRUST ENTERPRISES, LLC,
and JONATHAN YASKO,

Plaintiffs,

v.

Case No. 6:21-cv-526-JA-LRH

FIRST NATIONAL TITLE
INSURANCE COMPANY,

Defendant.

ORDER

This case is before the Court *sua sponte*.

Federal courts have not only “the power but also the obligation at any time to inquire into jurisdiction whenever the possibility that jurisdiction does not exist arises.” Fitzgerald v. Seaboard Sys. R.R., 760 F.2d 1249, 1251 (11th Cir. 1985). Entrust Solutions, LLC, Entrust Enterprises, LLC, and Jonathan Yasko, filed this case in state court, and Defendant, First National Title Insurance Company, removed it to this Court. (Notice of Removal, Doc. 2¹). In its Notice of Removal, First National relies on 28 U.S.C. § 1332, asserting that subject-matter jurisdiction exists based on the parties’ diverse citizenship. However,

¹ The Notice of Removal and accompanying documents were initially filed at Doc. 1 but then refiled at Doc. 2.

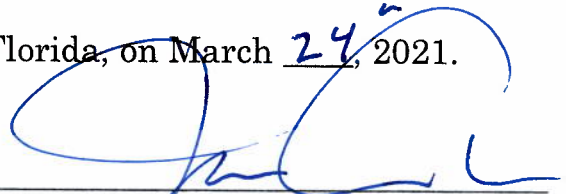
the allegations in the Notice of Removal do not establish that this Court has diversity jurisdiction over this case.

First National has adequately alleged the amount in controversy exceeds the \$75,000 threshold, and it adequately alleges the citizenship of itself and of the individual Plaintiff, Jonathan Yasko. But in asserting the citizenship of the other two Plaintiffs—Entrust Solutions, LLC and Entrust Enterprises, LLC—First National states only that “[a]s alleged in the Complaint” these parties are citizens of Tennessee. (Doc. 2 at 3). The Complaint, however, describes these two parties only as “Tennessee limited liability company[ies].” (Compl., Doc. 2-3, at 1 & 2). For purposes of diversity jurisdiction, “a limited liability company is a citizen of any state of which a member of the company is a citizen.” Rolling Greens MHP, L.P. v. Comcast SCH Holdings L.L.C., 374 F.3d 1020, 1022 (11th Cir. 2004); accord Purchasing Power, LLC v. Bluestem Brands, Inc., 851 F.3d 1218, 1220 (11th Cir. 2017) (“When determining citizenship of the parties for diversity jurisdiction purposes, a limited liability company (LLC) is a citizen of every state that any member is a citizen of.”). Without knowing the identities and citizenship of each member of Entrust Solutions and Entrust Enterprises, the Court cannot discern whether the parties’ citizenship is indeed diverse.

“Defective allegations of jurisdiction may be amended, upon terms, in the trial or appellate courts.” 28 U.S.C. § 1653. Accordingly, it is **ORDERED** that **no later than Friday, April 2, 2021**, First National shall file an amended

notice of removal establishing this Court's subject-matter jurisdiction over this case.

DONE and **ORDERED** in Orlando, Florida, on March 24th, 2021.



JOHN ANTOON II
United States District Judge

Copies furnished to:
Counsel of Record